

COUNCIL CHAMBERS CITY COUNCIL
CITY HALL - CITY OF LODI
JANUARY 3, 1951

Regular meeting of the City Council of the City of Lodi held beginning at 8:00 P.M. of Wednesday, January 3, 1951; Councilmen Bull, Haskell, Preszler and Tolliver, (Mayor), present, Councilman Rinn absent.

Minutes of preceeding meeting of December 20, 1950 approved as written after striking out the phrase " other than service to abutting owners " in paragraph numbered (1), page 492, as redundant.

REPORT OF THE CITY MANAGER -

FINANCES

JUL 1 - DEC 31

City Manager Weller read a brief resume of the City's financial position as of December 31, 1950 with a general statement of receipts and expenditures for the elapsed first six months of the current fiscal year as prepared by the City Treasurer and Finance Director. A digest of this report will be furnished each Councilman at an early date.

SEWER
LINE.

The request of E. A. Thayer, 1325 Sargent Road for refund of payments made by him for extension of sanitary sewer service was deferred to the January 17th meeting for investigation of progress made in annexation of the Thayer property with other properties. Mr Thayer has paid \$334.33 as his share of cost of this extension and as the line laid to serve his property has now been incorporated in lines serving others, he believes that he is entitled to reimbursement.

" Additions of Rest Rooms and Basement Remodel " bids rejected December 20, 1950 as insufficient to support the letting of a contract, Mr Weller submitted commitments obtained by the City Engineer as authorized after rejection of bids:

CITY HALL
BASEMENT
ALTERATIONS
ORDERED.

Fred Brown & Son	Concrete Work	\$ 140.00
Emil Reising	Carpentry	687.76
Shaw Brothers	Plastering	493.00
G. J. Rust & Sons	Plumbing	734.36
General Sheet Metal	Sheet Metal & Vent.	96.49
Acme Tile & Linoleum	Tile	234.00
Firebanks-Morse	Sewage Pump	545.00
Material from City Stock Pile		510.00

\$ 3,445.61

Reserve for Contingencies..... 354.39

\$ 3,800.00

On motion of Councilman Haskell, Preszler second, above bid prices were accepted and the City Engineer directed to proceed with the work.

FLOOD
PROTECTION
WORKS AT
LODI LAKE
PARK
AUTHORIZED
RES. 1584

The City Manager submitted tentative plans for construction of flood retaining works on the south and east lines of Lodi Lake Park as approved by the City Planning Commission. Mr C. R. Van Buskirk of the Recreation Commission appeared stating that he was present as an individual interested in this construction particularly as to its preserving the southeast portion of the park lands as a play ground. Mr Van Buskirk stated that the Recreation Commission would meet at the site of the proposed work in the near future. Plans approved as appertaining to flood control only and work ordered to proceed forthwith as an emergency project under Section 37906 Government Code by the adoption of Resolution No. 1584, introduced by Councilman Bull, Haskell second and passed by the following vote:

AYES: Councilmen, Bull, Haskell, Preszler and Tolliver
NOES: Councilmen, None
ABSENT: Councilman, Rinn

THEODORE NICKEL
UTILITY
ENCROACHMENTS

Theodore Nickel, subdivider of " Lakeside Park " appeared before the City Council claiming that Lots numbered 1 to 12 of this subdivision were rendered valueless by reason of (1) City water and sewer lines located outside the mapped ten foot easement along the north lot lines, (2) a four inch high pressure gas line of Pacific Gas and Electric Company in the approximate center of the

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MAJORITY OF
T. NICKEL
CONTINUED

As to the sewer and water lines, Mr Nickel agreed that he would accept a written statement from the City which would allow the construction of accessory buildings and paved walks and driveways over these utility lines as satisfactory. City Manager Weller suggested that he widen the mapped easement of ten feet to eighteen feet by a deed of easement to the City. Mr Nickel agreed to this provided that the City permitted building over the easement in Lots 1 and 12. The presence of the gas line was then considered. The City had no knowledge of the existence of this line when Lockeford Avenue was vacated and Holly Drive opened. The City Manager polled the Council for an expression of whether it was the original intent of the City Council to pass title to Lockeford Avenue free of any and all easements therein at the time that the City vacated its easement for a public street. All Councilmen present agreed that this was so intended. Councilman Bull moved, Haskell second, that this matter be reopened and that, if legally possible, that Nickel be freed from the cost of removing this line as it was the implied intention of the City Council to pass title to vacated Lockeford Avenue in such condition that it could be used for buildings to be erected thereon. Motion carried without dissenting vote.

HERB BROWN
BUILDING
PERMIT

The City Planning Commission, by letter, recommended that the application of Herbert W. Brown for a building permit in portions of Lots 4 and 5 of Block 13 of Hutchins Addition to Lodi. South of Lot 43, Fairmont Park Addition, be held in abeyance pending return of Glenn McGill, seller of this parcel, and the reaching of an agreement for the opening and improvement of Fairmont Avenue. Recommendation accepted.

VARIANCE OF
JAKE BIETZ
APPROVED

Acting on favorable report and findings of the City Planning Commission, a variance was granted to Jake Bietz to allow a twenty-five foot front yard space in Lot 18, Lodi Barnhart Tract, Northeast corner of Central Avenue and Poplar Street. Motion Councilman Haskell, Bull second.

REPORT
PENSION
BOARD

Mr Weller read a letter from the Pension Board covering matters heard at its meeting of December 18th, 1950, particularly as to the demurrer of J. F. Blakely against the application of the " six months after " rule and citing Section 3 of Ordinance No. 416 in answer thereto; the appeal of M. R. Channel as to date of initial full time service and also as to credits for part-time service rendered immediately preceeding permanent employment. In this latter case, the Board had adopted this rule " Prior credit shall be given for part-time service and shall bear the same relation to a full pension credit as a part-time salary bears to a comparable full-time salary " Mr Weller also read a copy of a letter written by him on December 20th requesting that the Board not only cite the law in certain instances but also submit its recommendation as to either its affirmation thereof or amendment thereto.

CLAIMS

Claims in the total amount of \$61,391.31 as submitted by the Finance Department and approved by the City Manager were allowed and ordered paid on motion of Councilman Presler, Haskell second.

STADIUM
CHARGES

City Manager Weller proposed that the City abandon its present 10¢ per admission charge for use of Lodi Stadium and substitute a percentage of gross collections therefor with possibly different rates for Summer and Winter uses. No action taken other than a request that he submit the proposal in writing for consideration.

ADJOURNMENT

Adjournment was had at 11:41 P.M. on motion of Councilman Haskell.